

STATE OF COLORADO

John W. Hickenlooper, Governor
Karin McGowan
Interim Executive Director

Dedicated to protecting and improving the health and environment of the people of Colorado

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<http://www.cdphe.state.co.us>



Colorado Department
of Public Health
and Environment

October 28, 2013

David Cross, Commercial Construction Dir
100 Saint Paul LLC
270 St Paul St Ste 300
Denver, CO 80206

RE: Certification, Colorado Discharge Permit System –Remediation Activities Discharging to Surface Water
Permit Number COG315000 Certification Number: COG315289

Dear Mr. Cross;

Enclosed please find a copy of the permit certification, which was issued under the Colorado Water Quality Control Act.
Please read the enclosed permit and certification.

The Water Quality Control Division (the Division) has reviewed the application submitted for the 100 Saint Paul facility and determined that it qualifies for coverage under the CDPS General Permit for **Remediation Activities Discharging to Surface Water** (the permit).

Discharge Specific Information

The discharge is to Cherry Creek within Segment 03 of the Cherry Creek Sub-basin, South Platte River Basin, found in the Classifications and Numeric Standards for the South Platte River Basin (Regulation No. 38) (COSPCH03). Segment 03 is Reviewable, and is classified for the following beneficial uses: Aquatic Life, Class 2 Warm; Recreation Class E; Water Supply; and Agriculture.

Antidegradation Review

The discharge is considered short-term/intermittent. Since short-term/intermittent discharges are considered a temporary impact, they are exempt from the Antidegradation Review.

Basis for Site Specific Parameters

Segment 03 of the Cherry Creek Sub-basin, South Platte River Basin is on the 303(d) list as impaired for Iron. Since Iron has the potential to be in remediation discharge, sampling and reporting for Iron is required.

The Division has completed a Reasonable Potential (RP) analysis for the discharge to determine the need for effluent limitations for pollutants that have a reasonable potential to cause or contribute to an exceedance of water quality standards. Data provided with the application for the following wells were reviewed, MW-1, MW-02, MW-03, MW-04 and MW-05. The RP review required a comparison of the maximum detected chemical concentrations in the source water to one-half the applicable water quality standard.

A qualitative RP analysis was conducted for Tetrachloroethylene as there was not enough data to conduct a quantitative RP analysis. Sample results for Tetrachloroethylene were as high as 7.1 ug/l (MW-1) compared to the effluent limitation of 5 ug/l. Therefore, a qualitative determination of RP has been made and limitations will be added and imposed upon the effective date of the permit.

A qualitative RP analysis was conducted for Arsenic (Total Recoverable) as there was not enough data to conduct a quantitative RP analysis. Sample results for Arsenic (Total Recoverable) were as high as 61.6 ug/l (MW-1), 16 ug/l (MW-1), 140 ug/l (MW-3), 73 ug/l (MW-3), 56.7 ug/l (MW-4), 71 ug/l (MW-4, and 50 ug/l (MW-5) compared to the effluent limitation of 10 ug/l (chronic). Therefore, a qualitative determination of RP has been made and limitations will be added and imposed upon the effective date of the permit.

A qualitative RP analysis was conducted for Mercury (Total) as there was not enough data to conduct a quantitative RP analysis. Sample results for Mercury (Total) were as high as 0.18 ug/l (MW-2), 0.34 ug/l (MW-3), 0.2 ug/l (MW-3), and 0.1 ug/l (MW-4) compared to the effluent limitation of 0.01 ug/l (chronic). Therefore, a qualitative determination of RP has been made and limitations will be added and imposed upon the effective date of the permit.

A qualitative RP analysis was conducted for Manganese (Dissolved) as there was not enough data to conduct a quantitative RP analysis. Sample results for Manganese (Dissolved) were as high as 3010 ug/l (MW-1) compared to the effluent limitation of 50 ug/l (chronic). Therefore, a qualitative determination of RP has been made and limitations will be added and imposed upon the effective date of the permit.

A qualitative RP analysis was conducted for Selenium (Potentially Dissolved) as there was not enough data to conduct a quantitative RP analysis. Sample results for Selenium (Potentially Dissolved) were as high as 6 ug/l (MW-3) compared to the effluent limitation of 4.6 ug/l (chronic). Therefore, a qualitative determination of RP has been made and limitations will be added and imposed upon the effective date of the permit.

Effluent Limitations

- Effluent limitations for Organic Compounds came directly from the table “Basic Standards for Organic Chemicals” of The Basic Standards and Methodologies for Surface Water (Regulation 31). The effluent limitations selected are based on the designated beneficial uses of the receiving stream.
- The effluent limit for Total Recoverable Arsenic, Potentially Dissolved Selenium, Dissolved Manganese, and Total Mercury were taken directly from The Classifications and Standards for the South Platte River Basin (Regulation 38), with results shown in the enclosed permit certification.

Source of Contamination

Contamination is from naturally occurring metals in alluvial and bedrock groundwater, two historic Leaking Underground Storage Tanks (LUST) sites, and an up gradient dry cleaners.

Treatment

The proposed system will consist of blending the water extracted from high concentration areas with water extracted from lower concentrated areas along with on site aeration in tanks.

In accordance with Part I.C.4.A.iv of the permit, the Remediation Activities Management Plan (Plan) must be kept current to reflect the description of all current pollutant control practices.

General Information

- **Permit Action Fees:** The Annual Fee for this certification is \$1,840.00 [Category 7, Subcategory 8 Oil and gas cleanup/ground water remediation per CRS 25-8-502] and is invoiced every July. Do Not Pay This Now. The initial invoice will be **prorated** and sent to the legal contact shortly.
- **Changes to the Certification:** Any changes that need to be made to the certification page – changes in outfalls, monitoring requirements, etc., must be submitted using the “Permit and Certification Modification form” available on our website: coloradowaterpermits.com, and signed by the legal contact.
- **Discharge Monitoring Reports (DMRs):** DMR forms will be mailed out within the next month. Reports must be submitted **monthly** as long as the certification is in effect. The permittee shall provide the Division with any additional monitoring data on the permitted discharge collected for entities other than the Division. If forms have not been received, please contact the Division at 303-692-3517.

The Division now has the ability to allow facilities to submit their DMRs electronically. For more information, please call the NetDMR team at 303-691-4046 or CDPHE.WQNetDMRHelp@state.co.us

- **Sampling Requirements:** Sampling shall occur at a point after treatment, or after the implementation of any Best Management Practices (BMPs). If BMPs or treatment are not implemented, sampling shall occur where the discharge leaves control of the permittee, and prior to entering the receiving stream or prior to discharge to land. Samples must be representative of what is entering the receiving stream.

- **Termination requirements:** This certification to discharge is effective long term. For termination of permit coverage, the permittee must initiate this by sending the "CDPS Permits and Authorization Termination Form." This form is also available on our web site and must be signed by the legal contact.
- **Groundwater Contamination:** If additional sources of groundwater contamination are encountered, then the permittee is to comply with Part I.C.6 of the permit, Practices for Discharges in Exceedance of Applicable Water Quality Standards.
- **Analytical and Sampling Methods for Monitoring:** The permittee shall install, calibrate, use and maintain monitoring methods and equipment, including biological and indicated pollutant monitoring methods. All sampling shall be performed by the permittee according to specified methods in 40 C.F.R. Part 136; methods approved by EPA pursuant to 40 C.F.R. Part 136; or methods approved by the Division, in the absence of a method specified in or approved pursuant to 40 C.F.R. Part 136.

See Part I.E.3 of the permit for information on the Analytical and Sampling Methods for Monitoring, including specific information on PQLs and reporting requirements. **A listing of the PQLs for organic parameters can be found in the Division's Practical Quantitation Limitation Guidance Document, July 2008.** This document can be found on the Division's website at <http://www.cdphe.state.co.us/wq/PermitsUnit/policyguidancefactsheets/policyandguidance/PQLGuidance.pdf>

- **Certification Records Information:** The following information is what the Division records show for this certification. For any changes to Contacts – Legal, Local, Billing, or DMR – a "Notice of Change of Contacts form" must be submitted to the Division. This form is also available on our web site and must be signed by the legal contact.

Facility: 100 Saint Paul

Denver County

Industrial Activities Building construction

SIC Code: 1799

Legal Contact *Receives all legal documentation, pertaining to the permit certification. [including invoice; is contacted for any questions relating to the facility; and receives DMRs.]*

David Cross, Commercial Construction Dir
100 Saint Paul LLC
270 St Paul St Ste 300
Denver, CO 80206

Phone number: 303-371-9000
Email: davec@paulscorp.com

Facility Contact *Contacted for general inquiries regarding the facility*

Jonathan Anstey, Sr Proj Geologist
Terracon Consultants
10625 W I 70 Frontage Rd N Ste 3
Wheat Ridge CO 80033

Phone number: 303-454-5202
Email: jpanstey@terracon.com

Billing Contact

John Fogg PM
100 Saint Paul LLC
270 St Paul St Ste 300
Denver, CO 80206

Phone number: 303-371-9000
Email: john.fogg@paulscorp.com

If you have any other questions please contact me at 303-692-3392.

Sincerely,



Maura McGovern, Permit Writer
WATER QUALITY CONTROL DIVISION

Enclosures: Certification page; General Permit

xc: Regional Council of Government
Denver County, Local County Health Department
D.E., Technical Services Unit, WQCD
Permit File